IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16417 of 2004

Between:
V. Hanumantha Reddy, S/o. Ramanna,
R/o. Gajulapalli Village, Gooty Mandal, Anantapur District.
..... PETITIONER

AND

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, Gooty Mandal, Anantapur District.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any other appropriate Writ or direction declaring the action of the 1st respondent in not granting stay as illegal arbitrary and consequently direct the 2nd respondent to continue the petitioner as fair price shop dealer of Gajulapalli Village, Gooy Mandal, Anantapur District pending disposal of the appeal before the 1st respondent In Rc.No.K4/ATP/1054/2004 dated 9-9-2004.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

Petitioner is the authorised dealer in respect of the Fair Price Shop of Gajulapalli village, Gooty Mandal, Anantapur District. His authorisation has been suspended by the Revenue Divisional Officer by order dated 28.08.2004, pending enquiry into the alleged irregularities in distribution of essential commodities to the cardholders. Aggrieved by the said order, the petitioner preferred an appeal before the Joint Collector, Anantapur, first respondent herein, along with an application for stay. The Joint Collector having entertained the appeal by proceedings dated 09.09.2004, directed the Revenue Divisional Officer to send his remarks as well as the records for hearing the application for stay which is under challenge in this writ petition.

Though the learned counsel for the petitioner vehemently contended that the allegations made in the order of suspension are false and without any basis and at any rate the same being trivial in nature, suspension of the authorisation is not warranted, since, admittedly, statutory appeal is pending before the first respondent, I am not inclined to express any opinion on merits of the

case. However, keeping in view the plea of the petitioner that the appeal is kept pending before the first respondent and in the meanwhile, he is not allowed to distribute the essential commodities, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the main appeal itself and pass appropriate orders in accordance with law after affording due opportunity to the petitioner as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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14.09.2004

VGB

To

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, Gooty Mandal, Anantapur District.
4 2CCs to the Government Pleader for Civil Supplies, High Court

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